

Application No. 10/605,858
Docket No. 132855
Amendment dated November 26, 2004
Reply to Office Action of August 26, 2004

REMARKS

In the Office Action, the Examiner reviewed claims 1-20 of the above-identified US Patent Application, with the result that claims 1-5, 7, 9, 10, and 12 were rejected under 35 USC §12, claims 6 and 11 were rejected under 35 USC §103, claims 13-20 were allowed, and claim 8 (which depends from claim 1) was deemed to recite allowable subject matter. In response, Applicants have amended the claims as set forth above. More particularly:

Dependent claim 8 has been canceled (without prejudice to Applicants) and its limitations incorporated into its parent claim 1 pursuant to the Examiner's conclusion that claim 8 recites allowable subject matter. As such, independent claim 1 and its remaining dependent claims 2-7 and 9-12 are believed to be allowable over the prior art of record.

New independent claim 21 has been presented that is identical to claim 1 as filed except for incorporating the additional requirements that the activator is first dissolved in the solvent to form an activator solution, after which the particulate filler and particulate donor material are mixed with the activator solution to form the adhesive mixture. Support for this limitation can be found in Applicants' specification in the first two sentences of paragraph [0027].

New dependent claims 22-30 depend from new independent claim 21, and recite the same limitations as original claims 2-6 and 8-11 as filed.

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Applicants believe that the above amendments do not present new matter. Favorable reconsideration and allowance of remaining claims 1-7 and 9-20 and new claims 21-30 are respectfully requested in view of the above amendments and the following remarks.

Prior Art Rejections

The Examiner rejected independent claim 1 and its dependent claims 2-7 and 9-12 under 35 USC §102 or 103 in view of U.S. Patent No. 5,997,604 to Rafferty et al. (Rafferty), but deemed dependent claim 8 to recite allowable subject matter. As noted above, Applicants have amended independent claim 1 to incorporate all of the limitations of dependent claim 8. Applicants therefore respectfully request withdrawal of the rejections of claims 1-7 and 9-12 under 35 USC §102 and 103.

New Claims 21-30

New independent claim 21 requires the step of dissolving an activator in a solvent to form an activator solution, after which the particulate filler and particulate donor material are mixed with the activator solution to form the adhesive mixture.

The Examiner cited Rafferty as teaching "a metalide coating system 15 which comprises a paste binder in combination with powdered metal alloy, a halogen source as an activator which reacts with the metal of the meal alloy, and a filler."

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Rafferty was further cited as teaching that the metalide coating system 15 can be in the form of a tape, slurry, or paste, "the binder may be in the form of a paste, which necessarily comprises some solvent," and "the particles of the metalide system (activator particles, filler particles, and metal alloy particles) are necessarily dissolved in the solvent used to form the paste."

While Rafferty's process might result in some activator particles being partially dissolved in the binder's solvent if the solvent is of a type capable of dissolving the activator particles, Applicants do not believe that the activator particles would be necessarily entirely dissolved in the binder solvent. In any event, nowhere does Rafferty teach or even suggest dissolving the activator particles to form a solution into which Rafferty's powdered metal alloy, filler, and binder are mixed to form a tape, slurry, or paste. Instead, any solvent used by Rafferty is first required to be mixed with Rafferty's binder to render the binder capable of adhering together the solid components of Rafferty's tape, slurry, or paste. Therefore, Applicants believe that Rafferty does not anticipate or obviate new claims 21-30, and respectfully request their allowance.

Closing

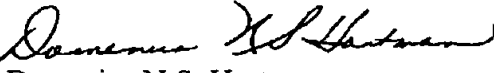
In view of the above, Applicants believe that all rejections to their claims have been overcome, and that the claims define patentable novelty over all the references, alone or in combination, of record. It is therefore respectfully requested that

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this patent application be given favorable reconsideration.

Should the Examiner have any questions with respect to any matter now of record, Applicants' representative may be reached at (219) 462-4999.

Respectfully submitted,

By 
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Reg. No. 32,701

November 26, 2004
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Attachment: Fee Transmittal form

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FEE TRANSMITTAL

for FY 2004

Effective 10/31/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

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Complete If Known	
Application Number	10/605,858
Filing Date	October 31, 2003
First Named Inventor	Park
Examiner Name	Kirsten C. Jolley
Art. Unit	1762
Attorney Docket No.	132855

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)																																																																																																																																																																														
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 07-0565 Deposit Account Name: General Electric Company The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fees indicated below, except for the filing fee to the above identified deposit account.	<h3>3. ADDITIONAL FEES</h3> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td></td><td></td><td>1051</td><td>130</td><td>2051 65 Surcharge - late filing fee or oath</td><td></td></tr> <tr><td></td><td></td><td>1052</td><td>50</td><td>2052 25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td></td><td></td><td>1053</td><td>130</td><td>1053 130 Non-English specification</td><td></td></tr> <tr><td></td><td></td><td>1612</td><td>2,520</td><td>1612 2,520 For filing a request for ex parte reexamination</td><td></td></tr> <tr><td></td><td></td><td>1604</td><td>920</td><td>1604 920 Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td></td><td></td><td>1605</td><td>1,840</td><td>1605 1,840 Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td></td><td></td><td>1251</td><td>110</td><td>2251 55 Extension for reply within first month</td><td></td></tr> <tr><td></td><td></td><td>1252</td><td>420</td><td>2252 210 Extension for reply within second month</td><td></td></tr> <tr><td></td><td></td><td>1253</td><td>850</td><td>2253 475 Extension for reply within third month</td><td></td></tr> <tr><td></td><td></td><td>1254</td><td>1,480</td><td>2254 740 Extension for reply within fourth month</td><td></td></tr> <tr><td></td><td></td><td>1255</td><td>2,310</td><td>2255 1,005 Extension for reply within fifth month</td><td></td></tr> <tr><td></td><td></td><td>1401</td><td>330</td><td>2401 165 Notice of Appeal</td><td></td></tr> <tr><td></td><td></td><td>1402</td><td>330</td><td>2402 165 Filing a brief in support of an appeal</td><td></td></tr> <tr><td></td><td></td><td>1403</td><td>390</td><td>2403 145 Request for oral hearing</td><td></td></tr> <tr><td></td><td></td><td>1451</td><td>1,510</td><td>1451 1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td></td><td></td><td>1452</td><td>110</td><td>2452 55 Petition to revive - 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<h3>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</h3> <p>Total Claims: 30 - 20 = 10 x 18 = 180</p> <p>Independent Claims: 3 - 0 = 0 x 86 = 0</p> <p>Multiple Dependent: 0 x 0 = 0</p> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td></td><td></td><td>1202</td><td>18</td><td>2202 9 Claims in excess of 20</td><td></td></tr> <tr><td></td><td></td><td>1201</td><td>85</td><td>2201 43 Independent claims in excess of 3</td><td></td></tr> <tr><td></td><td></td><td>1203</td><td>290</td><td>2203 145 Multiple dependent claim, if not paid</td><td></td></tr> <tr><td></td><td></td><td>1204</td><td>85</td><td>2204 43 Reissue independent claims over original patent</td><td></td></tr> <tr><td></td><td></td><td>1205</td><td>18</td><td>2205 9 Reissue claims in excess of 20 and over original patent</td><td></td></tr> </tbody> </table> <p style="text-align: right;">SUBTOTAL (2) (\$) 180.00</p>	Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			1202	18	2202 9 Claims in excess of 20				1201	85	2201 43 Independent claims in excess of 3				1203	290	2203 145 Multiple dependent claim, if not paid				1204	85	2204 43 Reissue independent claims over original patent				1205	18	2205 9 Reissue claims in excess of 20 and over original patent																																																																																																																																												
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<p>*For number previously paid, if greater. For Reissues, see above.</p> <p>SUBTOTAL (3) (\$) 0.00</p>																																																																																																																																																																															

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	William Scott Andes	Registration No.	33,682
Signature		Telephone	513/243-5963
		Date	November 26, 2004

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